

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

SHAWN EGGSWARE,

Plaintiff,

1:22-cv-54 (BKS/CFH)

v.

JOHN DOE,

Defendant.

Appearances:

For Plaintiff:

Shawn Eggsware
Waterford, NY 12188

Hon. Brenda K. Sannes, United States District Judge:

MEMORANDUM-DECISION AND ORDER

Plaintiff pro se Shawn Eggsware brought this action against Defendant “John Doe” on January 21, 2022, for “invasion of privacy,” alleging that people are watching a documentary that he filmed on his phone. (Dkt. No. 1). This action was referred to United States Magistrate Judge Christian F. Hummel who, on February 7, 2022, issued a Report-Recommendation recommending that Plaintiff’s complaint be dismissed in its entirety with prejudice for failure to state a claim upon which relief can be granted and for frivolity, 28 U.S.C. §§ 1915(e)(2)(B)(i), (ii). (Dkt. No. 4). Magistrate Judge Hummel advised Plaintiff that under 28 U.S.C. § 636(b)(1), he had fourteen days within which to file written objections to the report, and that failure to object to the report within fourteen days would preclude appellate review. (*Id.* at 13). No objections were filed.

As no objections to the Report-Recommendation were filed, and the time for filing objections has expired, the Court reviews the Report-Recommendation for clear error. *See Petersen v. Astrue*, 2 F. Supp. 3d 223, 228–29 (N.D.N.Y. 2012); Fed. R. Civ. P. 72(b) advisory committee’s note to 1983 amendment. Having reviewed the Report-Recommendation for clear error and found none, the Court adopts the Report-Recommendation in its entirety.

For these reasons, it is hereby


ORDERED that Magistrate Judge Hummel’s Report-Recommendation (Dkt. No. 4) is **ADOPTED** in its entirety; and it is further

ORDERED that Plaintiff’s complaint (Dkt. No. 1) is **DISMISSED in its entirety with prejudice** for failure to state a claim upon which relief can be granted and frivolity. 28 U.S.C. §§ 1915(e)(2)(B)(i), (ii); and it is further

ORDERED that the Clerk serve a copy of this Order on the Plaintiff in accordance with the Local Rules.

IT IS SO ORDERED.

Dated: March 18, 2022
Syracuse, New York


Brenda K. Sannes
U.S. District Judge